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RESOURCES**

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Lisa Wood
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Subject: Department of Natural Resources Comments for DNS 17-044: Wynoochee River Fishing Access

Ms. Wood:

Thank you for the opportunity to provide comments on the Wynoochee River Fishing Access project located in Grays Harbor County. The Washington State Department of Natural Resources is steward of state-owned aquatic lands and its resources, and has obligations to protect public resources of the state pursuant to the Forest Practices Act (RCW 79.02, 79.105, and 76.09).

Aquatic lands are managed for current and future citizens of the state to sustain long-term ecosystem and economic vitality, and to ensure access to the aquatic lands and the benefits derived from these lands. Washington DNR's management authority derives from the State Constitution (Articles XV, XVII, XXVII), Revised Code (RCW 79.02 and 79.105) and Administrative Code (WAC 332-30). As proprietary manager of state-owned aquatic lands, DNR has been directed to manage the lands "...for the benefit of the public" in a manner that provides "...a balance of public benefits for all citizens of the state" that includes"

- Encouraging direct public use and access

- Fostering water-dependent uses

- Ensuring environmental protection, and

- Utilizing renewable resources.

In addition, generating revenue in a manner consistent with subsections 1) through 4) of this section is a public benefit (RCW 79.105.030).

DNR has completed a preliminary review of your project. Portions of the project will be located on bedlands and shorelands of the Wynoochee River owned by the State of Washington and managed by DNR. The project will require an aquatic use authorization from DNR prior to allowing vessels to launch

from the site.

To ensure sustainable management of state-owned aquatic lands, DNR has established environmental protection goals. These goals seek to ensure that uses of state-owned land do not result in; shading that harms aquatic vegetation and fish migration; compaction, disruption, or impeding the natural movement of sediments; underwater noise that can disrupt important aquatic species when they are most vulnerable; or, release harmful contamination and waste. DNR is committed to working with applicants, in coordination with permitting agencies, to find ways to avoid impacts to aquatic habitats and species on state-owned aquatic land.

The Legislature of the State of Washington finds that it is of primary importance under the Forest Practices Act to provide for the protection of public resources (RCW 76.09.010(1)) which are defined as water, fish, wildlife, and capital improvements of the state and its political subdivisions. It has been determined that the new construction portion of this proposal meets the definition of a Class IV General Forest Practice per WAC 222-16-050(2)(a) because the primary purpose of the road as designed is to provide access for the public to the Wynoochee River. The proponents must obtain an approved Forest Practices Class IV General FPA prior to beginning new road construction.

To this end, DNR requests clarification on approaches that will be implemented to mitigate the following potential impacts:

- Section A.7 WDFW should identify the plans for what will occur following the 5 year review. If the project is not renewed, there is an obligation to fully abandon or maintain the road to forest practice standards and block access to the area to eliminate the potential for damage to public resources. The crossing of the side channel will need to be abandoned to meet fish protection standards (see WAC 222-24-052).
- Section A.9 there are no pending applications on file with DNR Forest Practices for future activities.
- Section A.11 of the SEPA checklist and the DNS notes that there could be as many as 100 boat launches a week at the site. This site is remote and given the projected volume of users DNR has questions regarding enforcement and access restrictions. Please clarify the plan to ensure that trash and other waste is collected and removed from the property on a regular basis. Will trash receptacles be placed in the parking area and will they be emptied at a regular interval? What is the proposed frequency for compliance or enforcement visits to the site? Will the access point be gated in the evenings or outside of normal fishing windows for the area? Is there dedicated funding for the compliance/enforcement activities? Will WDFW Enforcement officials have the authority to restrict access due to concerns for public resources or public safety?
- Section B.1.e and B.3.a.2 state that new fill will not be imported into the site. The road construction and maintenance must meet Forest Practices standards. The road surface must be maintained to minimize erosion of the surface and subgrade; minimize sediment entry to typed

water; direct groundwater that is captured by the road surface onto stable portions of the forest floor; and the road surface must be crowned, outsloped, water barred or otherwise left in a condition which prevents accelerating erosion or direct delivery of water or sediment to typed water (see WAC 222-24-052). Utilizing the fill existing on the site does not appear to be adequate to protect public resources. Forest Practices recommends a road surface which will be appropriate for traffic during the rainy season.

- Section B.1.h exposed soils should be revegetated with native species, and non-surfaced or unmaintained routes should be blocked from vehicle access to prevent erosion.
- Section B.3.a.2 Forest Practices is concerned that the proposed 36" culvert on the back-watered side-channel with known fish presence will become plugged with debris and become a fish barrier. Forest Practices recommends a bridge design at this site (WAC 222-24-041).
- Section B.3.a.5 the delineation of the 100 year floodplain is not marked on the site plans provided, or described in more detail in this section.
- Section B.3.a.6. of the SEPA checklist states no discharges of waste materials into surface waters. In order to access the boat launch, vehicles will have to cross a gravel bar and launch vessels directly into the river. Please provide additional details on the plan for spill response. Will there be a spill response kit located in the parking area at the site in the event of a spill? Will signs be posted to direct users who to call in case of a spill?
- Section B.3.d should indicate that the road will have continued maintenance after construction to reduce or control surface water runoff.
- Section B.4.e of the SEPA checklist lists the noxious weeds and invasive species known to be on or near the site. Are there plans or will a plan be developed to monitor and control the transport of invasive species from vehicles and trailers at the site? Will WDFW post signs to advise vessel operators to ensure vessels, vehicles, and trailers are free of invasive species transported from other areas?
- Section B.8.h of the SEPA checklist states this is a habitat conservation area and a shoreline of the state. As noted in the DNS there is confirmed presence of fall chum, Chinook, and Coho salmon as well as summer and winter steelhead, coast cutthroat trout, and possible presence of ESA-listed bull trout in the Wynoochee River. Since there will be vehicle access onto a gravel bar there will likely be direct impacts to salmonid redds and larvae in the silt-gravel substrate. What measures are being taken to minimize or eliminate impacts to substrates? Will access to the launch be restricted during spawning seasons? Will there be any measures in place to alleviate additional sediment transport downstream resulting from vehicle access to the gravel bar?
- Section B.14.d states that no additional road improvements are anticipated beyond what is proposed for this project. This proposal opens up an area to public recreational use for

approximately 100 boat launches per week. This will bring approximately 100 vehicle and trailer combinations across primitive logging road. Section B.14.g does not provide any specific mitigations for the public safety hazard. Will the road be closed to the public during periods of active timber haul? If so, who will enforce the road closure and how will that be accomplished?

DNR appreciates the opportunity to provide these comments for this DNS. We look forward to your responses to these questions. If you have any questions regarding please contact DNR using the contact information below.

DNR reserves the right to comment on future amendments and revisions to this proposal.

Sincerely,



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Enclosures

cc: DNR SEPA Center-